

APPROVAL FOR STREAM CROSSING STRUCTURES

Unregulated stream crossings, constructed with inadequate attention to engineering standards, in combination with the physical adjustments of stream channels over time, have been linked with significant public safety hazards, avoidable economic loss, and degradation of water quality during and following flood events ([Options for State Flood Control Policies and a Flood Control Program](#); VT DEC, February, 1999).

Placement, or construction, of Stream Crossing Structures within or over streams require issuance of an [Approval for Stream Crossing Structure](#), or a [Stream Alteration Permit](#) from the Department of Environmental Conservation.

Jurisdiction is promulgated under the [10 V.S.A. Chapter 41](#), the Federal Clean Water Act Section 404 Vermont General Permit (GP #58) issued by the US Army Corps of Engineers, and the state Water Quality Certification issued for GP#58.

Stream Crossing Structures include any structure type; i.e., bridge, box, arch, culvert, truss or other type structure, intended to convey people, animals, vehicles or materials from one side of the stream or stream channel to another. This does not include private, non-commercial footbridges, pole mounted aerial electric or telecommunications lines; nor does it include below grade utility lines authorized by a Stream Alteration Permit issued pursuant to 10 V.S.A. Chapter 41. Stream Crossing Structures do include other above grade utility lines such as individually supported aerial sewer or water supply pipelines (not suspended on or supported by an existing structure).

This regulatory process shall not apply to projects located where the drainage area is less than one square mile. This does not, however, preclude the statutory obligation to comply with the VT Water Quality Standards and 10 VSA, Section 4607 regarding maintenance of fish passage.

Applicability of this regulatory process to timber harvest related stream crossings is described by the Vermont Departments of Environmental Conservation and Forests, Parks & Recreation [Timber Harvesting Stream Crossing Protocol](#) (3/20/03).

Projects constructed by the VT Agency of Transportation, subject to 19 VSA, Section 10(12), are exempt from this regulatory requirement.

If the project is located where the drainage area is greater than 10 square miles **and** involves more than 10 cubic yards of fill or excavation within the top of the streambanks, the crossing will be regulated under 10 VSA Chapter 41, [Stream Alteration Permits](#).

If the proposed stream crossing structure is located where the drainage area is greater than one square mile, and is not subject to the jurisdiction of 10 V.S.A. Chapter 41, persons proposing stream crossing structures must complete an [Application for Approval for Stream Crossing Structure](#). For the purpose of satisfying the requirement for

complete information supportive of project design and review, the application shall include sketch plans and profiles providing the following technical information:

- a. the size (length along the stream, span length, opening size, etc.) and type of structure including any structural treatments, stone fill, headwalls, etc.,
- b. any proposed changes in the stream channel bed elevation,
- c. existing and proposed channel dimensions
- d. elevations of structural elements (headwalls, stringers, etc.) relative to streambed and top of bank
- e. watershed size at the location of the crossing
- f. USGS location map

Sketch plans and profiles, except in special cases, may generally be provided based on tape and hand level accuracy field survey data. If not drawn to scale, all dimensions and elevations must be noted on the drawings. Information shall be submitted to the VT DEC Stream Alteration Engineer located at the appropriate VT Agency of Natural Resources district office.

For projects not subject to the jurisdiction of 10 V.S.A. Chapter 41; if more than 15 calendar days elapse without a response from the date of receipt by the VT DEC of complete information describing the crossing location and design, the project may proceed without issuance of the Approval for Stream Crossing Structure. This does not, however, preclude the statutory obligation to comply with the VT Water Quality Standards and 10 VSA, Section 4607 regarding maintenance of fish passage.

It is recommended that the project manager contact the Stream Alteration Engineer and conduct a site inspection prior to preparing the Stream Alteration Permit or Approval for Stream Crossing Structure application and supporting information and plans so that project review can proceed more efficiently.

Direct any inquiries to the DEC [Stream Alteration Engineer](#) at the appropriate DEC regional office.